

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

EXXON MOBIL CORPORATION,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. _____
	§	
MAURA TRACY HEALEY, Attorney	§	
General of Massachusetts, in her	§	
official capacity,	§	
	§	
Defendant.	§	
	§	

DECLARATION OF JUSTIN ANDERSON

I, Justin Anderson, declare as follows:

1. My name is Justin Anderson. I have a pending application to practice law *pro hac vice* in the U.S. District Court for the Northern District of Texas and am a counsel with the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP. I am one of the attorneys representing Exxon Mobil Corporation (“ExxonMobil”) in this matter. I am over 18 years of age and am fully competent in all respects to make this Declaration. I have personal knowledge of the facts stated herein, based on my experience or my consultation with others, or they are known to me in my capacity as counsel for ExxonMobil, and each of them is true and correct.

2. I submit this declaration in support of Plaintiff Exxon Mobil Corporation’s Complaint.

3. To comply with the civil investigative demand issued by Massachusetts Attorney General Maura Healey on April 19, 2016, ExxonMobil would need to collect, review, and produce millions (and potentially tens of millions) of pages of documents.

4. Based on my experience and my consultation with others, responding to document requests as broad as the ones in the civil investigative demand costs millions of dollars.

5. Attached to this declaration as Exhibit A is a true and correct transcript of the AGs United for Clean Power Press Conference, held on March 29, 2016, which was prepared by counsel based on a video recording of the event. The video recording is available at <http://www.ag.ny.gov/press-release/ag-schneiderman-former-vice-president-al-gore-and-coalition-attorneys-general-across>.

6. Attached to this declaration as Exhibit B is a true and correct copy of the Civil Investigative Demand served on Exxon Mobil Corporation by the Massachusetts Attorney General's Office.

7. Attached to this declaration as Exhibit C is a true and correct copy of a press release by the New York Attorney General's Office, dated March 29, 2016, obtained from <http://www.ag.ny.gov/press-release/ag-schneiderman-former-vice-president-al-gore-and-coalition-attorneys-general-across>.

8. Attached to this declaration as Exhibit D is a true and correct copy of a press release by the Alabama Attorney General's Office, dated March 30, 2016, obtained from <http://www.ago.state.al.us/News-800>.

9. Attached to this declaration as Exhibit E is a true and correct copy of a press release by the Louisiana Attorney General's Office, dated March 30, 2016, obtained from <https://www.ag.state.la.us/Article.aspx?articleID=2207&catID=2>.

10. Attached to this declaration as Exhibit F is a true and correct copy of an article by Michael Bastasch published in the *Daily Caller* on April 4, 2016, obtained from <http://dailycaller.com/2016/04/04/kansas-ag-takes-on-al-gores-alarmism-wont-join-ant-exxon-publicity-stunt>.

11. Attached to this declaration as Exhibit G is a true and correct copy of an article by Kyle Feldscher published in the *Washington Examiner* on April 5, 2016, obtained from <http://www.washingtonexaminer.com/west-virginia-ag-disappointed-in-probes-of-exxon-mobil/article/2587724>.

12. Attached to this declaration as Exhibit H is a true and correct copy of a letter from Representative Lamar Smith to Eric Schneiderman, dated March 18, 2016, obtained from <https://science.house.gov/sites/republicans.science.house.gov/files/documents/05.18.16%20SST%20Letter%20to%20NY%20AG.pdf>.

13. Attached to this declaration as Exhibit I is a true and correct copy of an e-mail from Wendy Morgan to Michael Meade, dated March 18, 2016, obtained from <http://eelegal.org/wp-content/uploads/2016/04/Development-of-Agenda.pdf>.

14. Attached to this declaration as Exhibit J is a true and correct copy of the Union for Concerned Scientists's profile of Peter Frumhoff, obtained from <http://www.ucsusa.org/about/staff/staff/peter-frumhoff.html#.VyT3oYSDFHw> on May 20, 2016.

15. Attached to this declaration as Exhibit K is a true and correct copy of an article published by the Union for Concerned Scientists, obtained from http://www.ucsusa.org/our-work/global-warming/solutions/global-warming-solutions-fight-misinformation#.Vx-PC_krJpg on May 20, 2016.

16. Attached to this declaration as Exhibit L is a true and correct copy of the Pawa Law Group's profile of Matthew F. Pawa, obtained from <http://www.pawalaw.com/attorneys/matthew-pawa> on May 20, 2016.

17. Attached to this declaration as Exhibit M is a true and correct copy of the Pawa Law Group's description of its practice areas, obtained from <http://www.pawalaw.com/practice-areas> on May 20, 2016.

18. Attached to this declaration as Exhibit N is a true and correct copy of a report by Seth Shulman, dated October 2012, obtained from <http://www.climateaccountability.org/pdf/Climate%20Accountability%20Rpt%20Oct12>.

19. Attached to this declaration as Exhibit O is a true and correct copy of an article by Alana Goodman published in the *Washington Free Beacon* on April 14, 2016, obtained from <http://freebeacon.com/issues/memo-shows-secret-coordination-effort-exxonmobil-climate-activists-rockefeller-fund>.

20. Attached to this declaration as Exhibit P is a true and correct copy of an e-mail from Lemuel Srolovic to Matthew Pawa, dated March 30, 2016, obtained from http://www.washingtonexaminer.com/ny-atty.-general-sought-to-keep-lawyers-role-in-climate-change-push-secret/article/2588874?custom_click=rss.

21. Attached to this declaration as Exhibit Q is a true and correct copy of an e-mail from Peter Washburn to Lemuel Srolovic, et al., dated March 25, 2016, obtained from <http://eelegal.org/wp-content/uploads/2016/04/Questionnaire-responses.pdf>.

22. Attached to this declaration as Exhibit R is a true and correct copy of Cohen Milstein Sellers & Toll's "About Us" webpage, obtained from <http://www.cohenmilstein.com/about.php> on May 21, 2016.

23. Attached to this declaration as Exhibit S is a true and correct excerpt of Exxon Mobil Corporation's *Corporate Citizenship in a Changing World* report, dated 2002, obtained from ExxonMobil's files.

24. Attached to this declaration as Exhibit T is a true and correct excerpt of Exxon Mobil Corporation's *2006 Corporate Citizenship Report*, dated 2007, obtained from http://www.socialfunds.com/csr/reports/Exxon_Mobil_2006_Corporate_Citizenship_Report.pdf.

25. Attached to this declaration as Exhibit U is a true and correct excerpt of Exxon Mobil Corporation's *Annual Report (Form 10-K)*, dated February 28, 2007.

26. Attached to this declaration as Exhibit V is a true and correct excerpt of Exxon Mobil Corporation's *Annual Report (Form 10-K)*, dated February 26, 2010.

27. Attached to this declaration as Exhibit W is a true and correct copy of the plea in intervention filed in Exxon Mobil Corporation's action against the Virgin Islands Attorney General by the attorneys general of Texas and Alabama, obtained from pacer.gov.

28. Attached to this declaration as Exhibit X is a true and correct copy of a press release published by the Texas Attorney General's Office, dated May 16, 2016, obtained from <https://texasattorneygeneral.gov/news/releases/attorney-general-paxton-intervenes-in-first-amendment-case>.

29. Attached to this declaration as Exhibit Y is a true and correct copy of a press release published by the Alabama Attorney General's Office, dated May 16, 2016, obtained from <http://www.ago.state.al.us/News-837>.

30. Attached to this declaration as Exhibit Z is a true and correct copy of an article by the Associated Press published in the *New York Law Journal* on June 3, 2016, obtained from <http://www.newyorklawjournal.com/home/id=1202759197079/AG-Wont-Send-Documents-on-Probe-of-Exxon-Mobil?mcode=1202615069279&curindex=1&slreturn=20160503101116>.

31. Attached to this declaration as Exhibit AA is a true and correct copy of an article by Steven Mufson published in the *Washington Post* on June 1, 2013, obtained from <https://www.washingtonpost.com/news/powerpost/wp/2016/06/01/environmental-groups-reject-rep-smiths-request-for-information-on-exxon-mobil-climate-case/>.

32. Attached to this declaration as Exhibit BB is a true and correct copy of a letter from U.S. Senator Mike Lee to U.S. Attorney General Loretta Lynch, dated May 25, 2016, obtained from http://www.cruz.senate.gov/files/documents/Letters/20160526_ClimateChangeLetter.pdf.

33. Attached to this declaration as Exhibit CC is a true and correct copy of an article by Justin Gillis and Clifford Krauss published in the *New York Times* on November 5, 2015, obtained from http://www.nytimes.com/2015/11/06/science/exxon-mobil-under-investigation-in-new-york-over-climate-statements.html?_r=0.

34. Attached to this declaration as Exhibit DD is a true and correct copy of Stanford University's Global Climate & Energy Project's "About Us" webpage, obtained from <https://gcep.stanford.edu/about/index.html>.

35. Attached to this declaration as Exhibit EE is a true and correct copy of the Environmental Protection Agency's greenhouse gas "endangerment finding," obtained from <http://www3.epa.gov/climatechange/endangerment> on June 10, 2016.

36. Attached to this declaration as Exhibit FF is a true and correct copy of a report by Jeremy Carl and David Fedor, dated 2012, obtained from http://media.hoover.org/sites/default/files/documents/CarlFedor_HooverETF2012_RevenueNeutralCarbonTaxesInBCandAUS.pdf.

37. Attached to this declaration as Exhibit GG is a true and correct copy of the declaration signed by Robert Luetttgen on June 14, 2016.

38. Attached to this declaration as Exhibit HH is a true and correct copy of the declaration signed by Geoffrey Grant Doescher on June 10, 2016.

39. Attached to this declaration as Exhibit II is a true and correct copy of a press release by the Energy and Environment Legal Institute, dated April 15, 2016, obtained from <http://eelegal.org/2016/04/15/release-emails-reveal-schneiderman-other-ags-colluding-with-al-gore-and-greens-to-investigate-climate-skeptics>.

40. Attached to this declaration as Exhibit JJ is a true and correct copy of a list of so-called climate “deniers” gathered by Greenpeace, obtained from <http://www.exxonsecrets.org/html/index.php>.

41. Attached to this declaration as Exhibit KK is a true and correct excerpt of Exxon Mobil Corporation’s *Annual Report (Form 10-K)*, dated February 24, 2016.

42. Attached to this declaration as Exhibit LL is a true and correct excerpt of a report published by the Union of Concerned Scientists, dated 2007, obtained from http://www.ucsusa.org/sites/default/files/legacy/assets/documents/global_warming/exxon_report.pdf.


43. Attached to this declaration as Exhibit MM is a true and correct copy of an e-mail from Michael Meade to Scot Kline and Wendy Morgan, dated March 22, 2016, obtained from <http://eelegal.org/wp-content/uploads/2016/04/Gore-is-adding-star-power-and-words-to-avoid.pdf>.

44. Attached to this declaration as Exhibit NN is a true and correct copy of an e-mail from Scot Kline to Lemuel Srolovic, dated March 28, 2016, obtained from <http://eelegal.org/wp-content/uploads/2016/04/Common-Interest-Agreement-and-discussion.pdf>.

45. Attached to this declaration as Exhibit OO is a true and correct copy an email from Kenny Bruno to Matthew Pawa, et al., dated January 5, 2016, obtained from <http://freebeacon.com/wp-content/uploads/2016/04/scan0003.pdf>.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 14, 2016.



Justin Anderson
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(*pro hac vice* pending)
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